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PROFESSIONAL CORPORATION

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November 18, 2005

BY FACSIMILE

The Honorable Laura Taylor Swain
United States District Judge
United States Courthouse
Southern District of New York
500 Pearl Street, Room 1205
New York, NY 10007

MEMO ENDORSED

IT IS ORDERED that counsel to whom this Memo Endorsement is sent is responsible for faxing or otherwise delivering promptly a copy to all counsel and unrepresented parties and filing a certificate of such service within 5 days from the date hereof. Do not fax such certification to Chambers.

Re: *SEC v. Amerindo Investment Advisors Inc. et al.*, 05 CV 5231

Dear Judge Swain:

We represent Gary Tanaka in the above-entitled matter and, on his behalf, respectfully request that the Court reset the date by which Mr. Tanaka is required to respond to the Amended Complaint to twenty (20) days after the court-appointed monitor issues his report concerning Amerindo Investment Advisors Inc. ("Amerindo US").

At the status conference held on October 6, 2005, the Court ordered that the individual defendants (including Gary Tanaka) respond to the then-anticipated Amended Complaint by the *later* of (1) the filing of that complaint, *or* (2) the issuing of the monitor's report concerning Amerindo US.¹ Although the SEC recently filed its Amended Complaint, to date the monitor has not yet issued his report. Accordingly, under the Court's October 6 ruling, Gary Tanaka's answer to the Amended Complaint is properly due twenty days after the monitor's report ultimately is issued.

¹ As this was an initial status conference, no court reporter was present. The Court's ruling, however, is reflected in the docket report for this action (relevant portion attached).

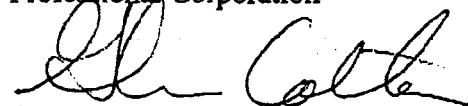
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Thank you for your consideration of this request.

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

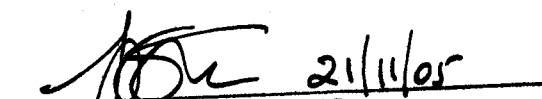

Glenn C. Colton

Enclosure

cc: Mark D. Salzberg, Esq. (212-336-1317)
Jeffrey Hoffman, Esq. (212-679-1844)

As counsel correctly notes, the deadline for response to the amended complaint runs from the issuance of the monetary report, since that will be the later event.

SO ORDERED.


LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE